

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR457
)	
v.)	
)	
DESHAWN HERNANDEZ,)	PRELIMINARY ORDER
a/k/a Latreise Anderson,)	OF FORFEITURE
)	
Defendant.)	
_____)	

This matter is before the Court upon the United States' Motion for Issuance of Preliminary Order of Forfeiture as to the defendant, Deshawn Hernandez (Filing No. [957](#)). The Court has reviewed the record in this case and finds as follows:

1. On July 20, 2010, a federal grand jury sitting in this District returned a two-Count Superseding Indictment including a Forfeiture Allegation against Shannon Williams, Deshawn Hernandez and Sara Jarrett. A jury trial with these three individuals began on April 4, 2011. On April 28, 2011, the jury convicted these individuals of Counts I and II of the Superseding Indictment.

2. The defendant, Deshawn Hernandez, has been found guilty by a jury of her peers as to Counts I and II of the Superseding Indictment filed herein. Count I charged Deshawn Hernandez with one count of conspiracy to distribute marijuana, in violation of 21 U.S.C. § 846. Count II charged Deshawn Hernandez with Conspiracy to Launder Money, in violation of Title 18, United States Code, Section 1956(h).

3. The Forfeiture Allegation of said Superseding Indictment sought the forfeiture, pursuant to 21 U.S.C. § 853, of the following-described personal and real properties on the basis

they were used or were intended to be used to facilitate Deshawn Hernandez' commission of the violations alleged in Counts I and II and/or were derived from proceeds Deshawn Hernandez obtained directly or indirectly as a result of the commission of said violations:

A) UNITED STATES CURRENCY:

1) \$1,000.00 in United States currency refunded to Mango Creek account from GBS Partners, Inc.;

2) \$1,000.00 in United States currency converted from a check from Spence Escrow Co. payable to U.S. Department of Treasury for proceeds from escrow account holding monies for Deshawn Hernandez from check number 1004 from Wells Fargo Bank.

3) \$85,120.00 in United States currency seized from safety deposit box at Pinnacle Bank on December 18, 2009.

B) VEHICLE:

1) A 2007 GMC Yukon, VIN 1GKFK13067J129231 registered to Deshawn Hernandez.

C) FINANCIAL ACCOUNTS:

1) \$15,545.95 as proceeds from Pinnacle Bank Account #6912183410 in the name of Mango Creek Properties, Inc.;

2) \$1,445.00 in monies delivered by Deshawn Hernandez on May 27, 2009 and July 6, 2009, now held as evidence at the Omaha Police Department property room.

D) REAL PROPERTY:

1) all right, title and interest Shannon Williams may hold to the real property described as NORTH 91.5 FEET, WEST 28 FEET, LOT 6, IN THE NORTH 91.5 FEET OF LOT 7, BLOCK 4, PARKERS ADDITION, as surveyed, and platted in Douglas County, Nebraska, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 1923 N. 27th Street, Omaha, Nebraska;

2) all right, title and interest Shannon Williams may hold to the real property described as LOT 12, BLOCK 2, HITCHCOCKS 1ST ADDITION, AN ADDITION TO THE CITY OF OMAHA, as surveyed, platted and recorded in Douglas County, Nebraska commonly known as 3744 Lake Street, Omaha, Nebraska, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 3744 Lake Street, Omaha, Nebraska;

3) all right, title and interest Deshawn Hernandez and/or Shannon Williams may hold to the real property described as 3181 PENNINGTON CIR SW, ATL, GA, as surveyed, platted and recorded in Fulton County, Georgia, commonly known as 3181 Pennington Cir. SW, Atlanta, Georgia (titled in the name of E ZONE INVESTMENTS LLC);

4) all right, title and interest Deshawn Hernandez and/or Shannon Williams may hold to the real property described as HASTINGS & HEYDENS 3RD ADD LOT 14 BLOCK 0 LOTS 13 & 82X120, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 2444 Browne Street, Omaha, Nebraska;

5) all right, title and interest Shannon Williams may hold to the real property described as FAIRFAX LOT 216 BLOCK 0 40 X 134, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 3721 N. 39th Street, Omaha, Nebraska (titled in the name of MANGO CREEK PROPERTIES INC.);

6) all right, title and interest Deshawn Hernandez and/or Shannon Williams may hold to the real property described as MOSSMAN & WILSON ADD LOT 106 BLOCK 0 LOT 106 BLOCK 0, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 2205 N. 39th Street, Omaha, Nebraska;

7) all right, title and interest Deshawn Hernandez and/or Shannon Williams may hold to the real property described as WILSON -CARL C-2ND ADD LOT 20 BLOCK 0 42 X 129.2, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 4527 N. 36th Avenue, Omaha, Nebraska (titled in the name of EZONE INVESTMENTS LLC);

8) all right, title and interest Deshawn Hernandez and/or Shannon Williams may hold to the real property described as FONTENELLE PARK LOT 205 BLOCK 0 40 X 130, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 3916 N. 42nd, Omaha, Nebraska (titled in the name of E ZONE INVESTMENTS LLC);

9) all right, title and interest Deshawn Hernandez and/or Shannon Williams may hold to the real property described as YALE PLACE LOT 49 BLOCK 0 -EX S 5 FT- 40 X 98.2, as surveyed, platted and recorded in Douglas County, Nebraska, commonly known as 3365 Erksine Street, Omaha, Nebraska; (titled in the name of E ZONE INVESTMENTS LLC).

4. By virtue of the guilty verdict mentioned above, Deshawn Hernandez's interest in the above-described properties should be forfeited, and the United States should be entitled to possession of the properties, pursuant to 21 U.S.C. § 853. Additionally, on July 26, 2011, Deshawn Hernandez filed a Response to the Superseding Indictment (Filing No. [948](#)), whereby she affirmatively released any claims she may have to any of the property mentioned in the Superseding Indictment.

5. The United States' Motion for Issuance of Preliminary Order of Forfeiture should be sustained.

IT IS ORDERED:

A. The United States' Motion for Issuance of Preliminary Order of Forfeiture is hereby sustained.

B. Deshawn Hernandez' interest in the personal and real properties set forth in the Superseding Indictment is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n).

C. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

DATED this 28th day of July, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court